



THE MARKETING MEMO

August 2005

Marketing Branch

Division of Marketing Services

California Department of Food and Agriculture

1220 N St., Sacramento, CA 95814

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PROGRAM ISSUES

PROPOSED CITRUS NURSERY RESEARCH & EDUCATION MARKETING ORDER REFERENDUM:

The Marketing Branch conducted a public hearing for the proposed Citrus Nursery Research and Education Program on June 30, 2005. The evidence received at the hearing was supportive of the proposed program. The Department will conduct an industry referendum among citrus nursery persons to determine if there is support of the proposed program and if it should be implemented. The referendum is scheduled to begin on or about August 12, 2005.

For questions about the proposed Citrus Nursery Research and Education Marketing Order, please contact Kathy Díaz at the Marketing Branch.

LEGAL ISSUES

COUNTRY EGGS VS. KAWAMURA:

On August 10, the California Supreme Court denied the petition for review in the Country Eggs case. This means the ruling from the appeals court that the Department is not liable for the debts of a commission stands.

ADMINISTRATIVE ISSUES

BRANCH REQUEST: SUBMITTING DOCUMENTS FOR APPROVAL:

When submitting routine documents to the Department for approval, such as commission concurrences, appointment of members, etc., please send all originals directly to the Marketing Branch for handling. Documents sent directly to the Secretary's office may face delays in getting to this branch for handling.

PIERCE'S DISEASE ASSESSMENT CONTINUATION REFERENDUM RESULTED IN SAVINGS FOR MARKETING PROGRAMS:

Some of you may be aware that about 10 months ago the Marketing Branch was asked by the Pierce's Disease (PD) Program to conduct a statutorily required industry referendum to consider extending the assessment grape growers pay to fund PD research. Our Branch's involvement in the process officially concluded in July with the issuance of vote results which concluded that the industry overwhelmingly supported the continuance of the assessment.

Under the agreement between the PD Program and the Marketing Branch, we were fully reimbursed on an on-going basis for all the expenses incurred in developing

the list of growers and conducting the referendum. Because of our level of involvement in this project, for several months a high number of Marketing Branch personnel services hours (mostly for support staff) were paid by the PD Program. This, in turn, resulted in lower program prorated costs for personnel services to all our programs. The last billing affected by the PD referendum “contract” work, done by the Marketing Branch, will be the July bill which will be issued in September.

If you have any questions regarding this matter, please contact Lynn Morgan or Beth Jensen at the Marketing Branch

ETHICS TRAINING CERTIFICATION PROCEDURES FOR MARKETING ORDERS, AGREEMENTS, AND COUNCILS:

Just a reminder that marketing orders, agreements, and councils are still required to complete ethics training. First time appointed members and alternate members must complete the training and file a certification with your program within 6 months of assuming their position. All other members and alternates need to complete ethics training and file the appropriate certification every 2 calendar years thereafter. Program Executives must retain the signed original certificates. Please note that CDFA does not collect this information from commissions, even though commission members and alternates are required to complete ethics orientation.

If you have any questions regarding the process, please contact Darwin Spring at the LDC, 916-445-2882, or email: dspring@cdfa.ca.gov.

TABLE OF DUE DATES:

As a reminder of upcoming due dates, we are providing the following Table. Please call your Economist/Analyst at 916-341-6005 if you have any questions.

TABLE OF DUE DATES		
Item	Applies To:	Due Date
Quarterly Contract Report	Marketing Orders, Agreements and Councils	Qtr 1, 2005 (January – March 2005) Was Due: April 29, 2005 Qtr 2, 2005 (April – June 2005) Due: July 30, 2005
Ethics Training	Marketing Orders, Agreements and Councils	Members must complete the training in the time frames below and submit the certification to their marketing program executive: <ul style="list-style-type: none">• New members: within six months of assuming their position.• Continuing members: every two calendar years. Program Executives must retain the signed original certificates. A list of board members and alternates with the dates they completed the orientation, must be sent to the CDFA Learning and Development Center. Point of contact is Darwin Spring, 916-445-2882.
Member Lists	Marketing Orders, Agreements, Councils, and Commissions	As soon as possible after any changes. Please be sure to include individual contact information: addresses, phone numbers and e-mail addresses.
Financial Audits	Marketing Orders, Agreements and Councils	Three copies due to Branch 30 days after completion.

GENERAL INFORMATION**POLICY REVISION SUBCOMMITTEE FIRST MEETING:**

The Marketing Branch held the first meeting of the new Policy Revision Subcommittee on August 10. It was a very productive meeting with great participation by the subcommittee members that were in attendance. The next meeting date was set for September 2, 2005.

SECRETARY KAWAMURA TO INTRODUCE USDA FUNDED WORKSHOPS:

California Secretary of Agriculture AG Kawamura, will introduce a USDA funded workshop that will help producers manage the burden of regulations. The new tool, called AgComplyIT helps farmers create a unified plan for dealing with regulations. Thirty-one County Agricultural Commissioners assisted by fifteen Small Business Development Centers will present the workshops throughout California simultaneously in at least twenty locations. Kawamura's introduction will be part of a DVD that opens each workshop. The new Excel™ based tool will be distributed free on CD to producers attending the workshops. It will privately identify the state and federal production related regulations that may apply to a particular enterprise and helps growers create a

plan to comply with them. After the introduction, agency representatives at the local sites will join growers in a facilitated discussion.

DATE: Thursday, September 8, 2005

TIME: 4:00 - 6:00 pm (specific times may vary)

For a location start time of a workshop near you, call your local Agricultural Commissioner or call (530) 852-4768

MARKET ENFORCEMENT - PAYMENT DISPUTES- AB 1061 (ASSEMBLY AGRICULTURE COMMITTEE):

As written this measure will establish an expedited, informal mediation system for resolving disputes over the payment of farm products between growers and dealers (this includes those who grow and buy flowers) or between dealers and dealers, for transactions of \$30,000 or less, under the Produce Dealers Act in the Food and Agricultural Code. The Market Enforcement Branch of CDFA will conduct the mediations. This is patterned somewhat after a similar system for perishable commodities under the federal Perishable Agricultural Commodities Act.

Additionally, the Market Enforcement Advisory Committee recently developed amendments to the bill, which will allow for an unsuccessful mediation to go to arbitration, again for cases of \$30,000 and under. These amendments have now been placed in the bill. (Passed the Assembly. Passed the Senate Agriculture Committee. In Senate Appropriations Committee)

MARKETING PROGRAM AND MARKETING BRANCH JOB ANNOUNCEMENTS:

We routinely include notices of job openings with California marketing programs and other agricultural organizations in the Marketing Memo. Please contact Beth Jensen at 916-341-6005, or via e-mail at bjensen@cdfa.ca.gov to include information in this section.

PEST DETECTION ADVISORY

Attached is the Pest Detection Advisory of current pests affecting California agricultural products. If you have questions regarding this listing, please contact the CDFA Pest Detection Branch at 916-654-1211.

MARKET ENFORCEMENT ADVISORY:

Attached is the Market Enforcement Advisory Notice for July 2005. If you have questions regarding the notice, please contact the CDFA Market Enforcement Branch at 916-341-6276.